

ORIGINAL



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ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

JAN 25 2008

January 25, 2008

DOCKETED BY	nr
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Kevin Greif  
1140 North Opal Drive  
Prescott, Arizona 86303

RE: IN THE MATTER OF THE APPLICATION OF DIAMOND VALLEY WATER  
USERS CORPORATION FOR APPROVAL OF A REQUEST OF THE DIAMOND  
VALLEY WATER DISTRICT TO OBTAIN THE ASSETS OF THE DIAMOND  
VALLEY WATER USERS CORPORATION.  
DOCKET NO. W-03263A-07-0244

TO: Mr. Kevin Greif

On January 18, 2008, you filed a document with the docket control entitled Data Request and Request for Admission of Facts from the Arizona Corporation Commission. Staff declines to respond to this most recent request for additional discovery. As has been related in the prior Staff response to your first post-hearing data request that was docketed on December 24, 2007, any factual components to these questions are substantially questions that have been asked and answered several times. Indeed, several of your questions clearly state that they are demanding confirmation of responses Staff has already provided. Staff has provided its answers to these questions.

Further, these questions could have been asked of Staff during the evidentiary hearing held on November 16, 2007. If you were unsatisfied with the responses Staff has provided to these same questions previously, you were free to provide testimony supporting your position on these factual issues personally or through a witness provided by yourself at the hearing.

Regarding the fact that there has already been a hearing in this matter, the time for discovery has passed. Setting the hearing aside, the questions presented do not relate to development of new issues. Rather they are an invitation to rehash existing issues using the same tired facts. The post hearing posture of this application is ripe for a decision and none of the questions you have asked leads to anything that has not already been provided in the record.

Additionally, though termed a request for admission of facts, several of the questions are substantively legal questions with no factual component to admit. To that extent, Staff declines to provide you with legal advice. You are free to develop your own legal analysis of the facts on the record as a party to the docket.

January 25, 2008

Page 2

Consequently, there is no reasonable purpose served by this merely cumulative discovery request. To the extent that virtually all of the factual inquiry posed by these questions has been asked and answered previously, Staff has no new response to supplement what it already provided on the record. The matter is sufficiently factually developed to proceed to a decision.

Sincerely,



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JA:CHH:sab

January 25, 2008

Page 3

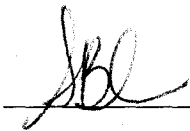
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SERVICE LIST FOR: DOCKET NO. W-03263A-07-0244

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